

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES CURTIS KERN,  
Plaintiff,

v.

DR. HO,  
Defendant.

No. 2:24-cv-1931 TLN CSK P

ORDER TO SHOW CAUSE

Plaintiff is a state prisoner proceeding pro se and in forma pauperis. On May 20, 2025, the Court screened plaintiff's amended complaint and found service on defendant Dr. Ho was appropriate. (ECF No. 12.) By an order filed June 17, 2025, this Court directed the United States Marshal to serve all process without prepayment of costs. On September 5, 2025, attorney Lindsey M. Romano filed a waiver of service of summons. (ECF No. 16.) On September 15, 2025, attorney Gigi Knudtson filed a waiver of service of summons. (ECF No. 17.) Both waivers indicate that "a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not filed within the U.S. District Court and served upon plaintiff within 60 days after 7/16/2025." (Id.) In other words, defendant's responsive pleading was due on or before September 15, 2025, because the 60 day deadline fell on September 14, 2025, a Sunday. Defendant, although properly served, has not yet filed a responsive pleading.

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Accordingly, IT IS HEREBY ORDERED that:

1. Defendant Dr. Ho shall show cause, within fourteen days from the date of this order, why default should not be entered; and

2. The Clerk of the Court shall email a copy of this order on the attorneys who signed the waivers of service of summons:

Lindsey M. Romano - [lromano@grsm.com](mailto:lromano@grsm.com)

Gigi Knudtson - [knudtson@longyearlaw.com](mailto:knudtson@longyearlaw.com)

Dated: September 30, 2025

  
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CHI SOO KIM  
UNITED STATES MAGISTRATE JUDGE

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